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COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

LEGAL SUBCOMMITTEE

Thirty-first session

SUMMARY RECORD OF THE 553rd MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 26 March 1992, at 10.30 a.m.

Chairman: Mr. MIKULKA (Czechoslovakia)

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The meeting was called to order at 10.40 a.m.

GENERAL EXCHANGE OF VIEWS (continued)

1. Mr. FUJITA (Brazil) welcomed the very positive and constructive reactions to the working paper contained in document A/AC.105/C.2/L.182, which had been submitted as a starting point and basis for discussion and was open for contributions from other interested sponsors. The discussions had already demonstrated that some conceptual clarifications might be necessary and that there was room for improvements and refinements in the text, which could be made by means of a thorough dialogue. In that connection, his delegation fully endorsed the comments made by the representatives of Austria and the United States that, in the drafting of legal or quasi-legal principles, the careful clarification of terms was essential.

2. The main objective of the working paper was to stimulate and enhance voluntary cooperation in space science and its applications. Brazil fully shared the view that any attempt to impose legal or quasi-legal links that might weaken national sovereignty in freely determining a country's interests in bilateral or multilateral cooperation was a meaningless exercise. Respect for national sovereignty and the sovereign equality of all States were fundamental tenets of international relations and international law enshrined in the United Nations Charter. The sponsors of the working paper were thus aiming at a set of principles that would guide States once they had exercised their sovereign prerogative of entering into an international cooperation exercise. The principles should not be seen as mandatory preconditions and both the developed and the developing countries should avoid making their partnership, whether in outer space or on Earth, subject to inappropriate conditions.

3. In drawing up the principles, the sponsors had sought to achieve transparency; predictability, in the sense of receiving or offering timely cooperation; equity, by giving due consideration to factors such as different levels of development, degrees of investment and proprietary rights; non-discrimination in the sharing of benefits and knowledge; and mutual benefits and commitments. The set of principles should not be seen as unidirectional or in terms of a supplier/recipient relationship. Rather, international cooperation in outer space activities entailed a series of commitments both by the supplier and by the recipient. Principles III, IV and V were intended to deal with that aspect.

4. With regard to paragraphs 21 to 23 of General Assembly resolution 45/72, his delegation agreed that the question of space debris was an appropriate subject for discussion by the Committee on the Peaceful Uses of Outer Space. It was also committed to achieving a successful conclusion of the work on nuclear power sources. The international community was in urgent need of a clear set of principles that would ensure suitable protection for the Earth's population and environment against the hazards of accidents involving nuclear power sources. It was nevertheless regrettable that the question of "previous notification" and "prior safety assessment" still had not been dealt with in an appropriate manner. In that connection, his delegation's preference was for the retention of principle 2, as contained in

documents A/AC.105/C.2/L.154/Rev.6 and Rev.7. The merger of principles 2 and 4 under the heading "Safety assessment" in a new principle 4, as proposed in document A/AC.105/C.2/L.154/Rev.10, did not make for greater clarity, at least as the proposal was now worded. Although "previous notification" and "prior assessment" were interrelated concepts, they were different in nature and the draft text should incorporate all elements of both concepts, whether they were stated as separate principles or as a single topic. It was to be hoped that the Legal Subcommittee would be able to reach agreement on all the outstanding problems at its current session.

5. Brazil supported the suggestion that the Subcommittee should start debating the legal issues related to the future exploration of aerospace systems under agenda item 4 dealing with the definition and delimitation of outer space. That proposal would be helpful in finding a solution to problems relating to the question of application of national and international law.

6. A proposal to create a civil Brazilian space agency out of the various space research institutions and university laboratories was being submitted to the Brazilian Congress for consideration. The proposal's aim was to centralize all national space exploration activities to make better use of available resources and to ensure greater transparency in all national activities and initiatives related to the use of outer space.

7. Mr. AYEWAH (Nigeria) said that, as International Space Year and the tenth anniversary of UNISPACE 82 were both being celebrated in 1992, space exploration and use should continue to attract priority attention. Nigeria had consistently emphasized the need to broaden international cooperation to make space technology available to all countries. Such technology had been applied in areas such as medicine, health, remote sensing, agriculture and the basic sciences and, although the progressive development of the applicable space law had not kept pace with scientific and technological developments in the field, States were becoming increasingly willing to work towards the elaboration of basic principles that would regulate the exploration and use of outer space.

8. The 1967 Outer Space Treaty had provided an initial legal framework and UNISPACE 82 had established both an objective and a programme of action intended to make the benefits of outer space exploration available to all countries. However, activities in outer space over the past 25 years had implied the need to engage in the progressive development and codification of applicable space law in order to match scientific and technological advances and ensure that they were in keeping with the objective of peaceful use and in the interests of development.

9. His delegation had welcomed the agenda item on legal aspects related to the application of the principle that the exploration and utilization of outer space should be carried out for the benefit and in the interests of all States, taking into particular account the needs of the developing countries, because it gave the developing countries an opportunity to explain what they expected of space exploration and use. The formulation of that item had also posed a challenge to the major space Powers to demonstrate their readiness to promote international cooperation in the field. Those Powers had a special

responsibility to share their advancement in space technology with other countries in a manner that was mutually beneficial. That responsibility was not viewed as imposing or seeking to impose undue obligations on any State, but rather as an encouragement to the States concerned to share their acquired capabilities with other countries in the spirit and context of international cooperation.

10. The developed and developing countries also had a mutual interest in protecting and preserving the outer space environment for the sake of the planet and for future generations and that mutuality of interest should find expression in international cooperation.

11. The discussion of the definition and delimitation of outer space had for far too long been hampered by political considerations that had tended to negate the benefit which ought to derive from a willingness to remove remaining areas of disagreement. It had taken more than a decade to determine whether or not outer space should be delimited and, even where opinion was less divided as to what altitude should constitute the outer limit of airspace from where outer space ought to begin, member States were still wondering whether the concept of sovereignty should extend to the airspace over their territory. As long as member States found a reason, however tenuous, for not wanting to delimit outer space, developing countries which were not yet in a position to explore outer space would feel that their interest and concern in outer space matters were not relevant.

12. His delegation could not accept that situation. Outer space was part of the common heritage of mankind and it was in the interests of all countries that its exploration and use should be regulated in a rational and equitable manner. In that connection, his delegation reiterated its belief that the definition and delimitation of outer space were a practical and legal necessity and would have to be done in order to draw a clear distinction between airspace and outer space. The time had now come to settle the matter through constructive dialogue, taking the proposal to limit airspace at 90 kms above the Earth as a starting point. In the light of recent technological developments, immediate and decisive action was necessary through the adoption of an enabling legal principle to guarantee the security of States.

13. His delegation welcomed the progress made in the elaboration of draft principles related to nuclear power sources on board space objects. It was aware that nuclear power sources were regarded as the most efficient system of power generation in outer space exploration and other interplanetary missions, but, like other delegations, it was concerned about safety with regard to its use in space. The space Powers had the responsibility to prevent a major disaster arising from an accidental reentry into the Earth's atmosphere of a nuclear-powered space object, particularly bearing in mind that most developing countries did not have the capacity to monitor such an event or to conduct a clean-up operation in the event of impact in their territories. It was therefore to be hoped that the remaining draft principles would be finalized at the Subcommittee's current session.

14. His delegation also believed that advancement in space science and technology should not be seen as the exclusive preserve of any particular country or group of countries. It was particularly important, too, that the developing countries should not see themselves as or be made to feel irrelevant. All nations had a moral responsibility to share knowledge, information and experience in the field in such a way as to make international cooperation a contribution to development.

15. Mr. HODGKINS (United States of America) said that his delegation was concerned about the view of some delegations that the Committee on the Peaceful Uses of Outer Space and its Subcommittees should discuss matters relating to the militarization of outer space. Such discussions would detract from the task of promoting international cooperation in the peaceful uses of outer space. Disarmament questions were, moreover, the mandate of the Conference on Disarmament and other international bodies.

16. His delegation had also long held the view that the Legal Subcommittee should improve its use of conference services and, while welcoming the measures already adopted, considered that more could be done. The United States had always been a proponent of greater efficiency in that area and had therefore been pleased to learn that, in resolution 46/190, the General Assembly had requested all subsidiary bodies to undertake informal consultations on a regular basis for the purpose of improving the utilization of their conference-servicing resources and to report the results of those consultations to the Chairman of the Committee on Conferences. His delegation therefore requested the Chairman of the Legal Subcommittee to organize such consultations among interested delegations as soon as possible during the current session. It had a number of specific ideas and was anxious to hear the views of other delegations. It also requested that the secretariat should make available in time for the first consultations the relevant portions of the General Assembly resolutions referred to in the letter from the Chairman of the Committee on Conferences, dated 30 January 1992 and circulated earlier in the session.

17. At its thirty-fourth session, the Committee on the Peaceful Uses of Outer Space had agreed that the current session of the Legal Subcommittee would be held in Geneva and that the secretariat should support the session, reducing additional non-conference servicing costs in every possible way. He therefore requested the Secretary of the Subcommittee to report on the measures that had been taken to reduce such costs for the current session.

18. The CHAIRMAN said that he was always prepared to convene a meeting of interested delegations to discuss any matters which might improve the Subcommittee's work and enable it to make the best and most efficient use of the services available. If interested delegations would contact the secretariat, an informal meeting would be arranged to discuss all of those matters.

19. Mr. RAO (India) said that, in view of recent significant political developments, peace and order in the world would be complete only with a peaceful, secure and equitable order in outer space. The promotion of the peaceful uses of outer space, as well as the prevention of an arms race in and

the demilitarization of outer space, were closely linked and would significantly facilitate peace, security and order both in outer space and in the world at large.

20. The legal regime for outer space contained in the 1967 Outer Space Treaty was the applicable legal framework within which all specific and newly emerging matters concerning outer space should be examined. In response to the additional demands of a changing world, the basic law of outer space had to be further and progressively developed from time to time, a task with which the Legal Subcommittee had been entrusted. Specific legal instruments had already been developed, on the basis of the 1967 Outer Space Treaty, on matters such as the rescue and return of astronauts, liability for damage caused by space objects and the registration of objects launched into outer space. In addition, legal principles had been developed on direct television broadcasting and remote sensing. The Subcommittee was now asked to extend the development of outer space law to issues concerning the use of nuclear power resources on board space objects, the definition and delimitation of outer space, the character and utilization of the geostationary orbit and outer space benefits, taking into particular account the needs of developing countries. The Subcommittee's mandate was clearly limited to the legal aspects of those matters. His delegation intended to comment in detail on each of those items as they were discussed. In the meantime, it considered that, at its present session, the Subcommittee should endeavour to finalize the principles relating to nuclear power sources. The Scientific and Technical Subcommittee had already offered to draft the preamble to those principles, and that would help the Legal Subcommittee make progress on their consolidation and finalization.

21. The work on outer space benefits could proceed in a substantive way at the present session on the basis of the working paper contained in document A/AC.105/C.2/L.182. In addition, an open-minded and constructive approach on the part of all delegations was needed to deal with the delimitation and definition of outer space in a manner which would go beyond the positions stated by countries in the past. With regard to the geostationary orbit, reference to the non-working paper (A/AC.105/484, annex II, para. 12) submitted at the preceding session was appropriate. The Chairman and Legal Subcommittee could be assured that his delegation would cooperate fully with a view to achieving success at the present session.

22. Mr. RIOFRIO (Ecuador), noting that outer space exploration and utilization activities were assuming ever greater importance for economic and social development, particularly that of the developing countries, said that, in view of the many applications of the utilization of outer space, it was essential that such activities should be regulated in a rational and equitable manner, taking into particular account the needs of the developing countries. International cooperation took on particular meaning in that context and the Sub-Committee's work was essential in defining clear, fair and equitable rules to ensure that all States, regardless of their level of development or technological capacity, could benefit from space exploration.

23. As his country had stated at earlier sessions of the Subcommittee, its position was closely related to that of other developing countries and, in particular, the equatorial members of the Committee on the Peaceful Uses of

Outer Space. It considered that the use of outer space should be exclusively for peaceful purposes; that nuclear power sources on board space objects should be kept to a minimum, under maximum conditions of security; that the geostationary orbit, a limited natural resource, should be linked with the interests, needs and rights of the developing and, in particular, equatorial countries; that there was a need for clear provisions to ensure that the knowledge and applications derived from the exploration and utilization of outer space should benefit all States; and that mechanisms should be established to ensure the necessary international cooperation.

24. With regard to agenda item 4, his country was interested in the proposal contained in annex II, paragraph 12, of document A/AC.105/484, although it considered that earlier proposals were more appropriate, as they took account of the special interests of equatorial countries. In view of the relationship between the geostationary orbit and the gravitational phenomena of the Earth and the fact that the former's physical and technical characteristics were unique to the equator, the geostationary orbit should be subject to a special legal regime that would take account of the interests of all States and, in particular, the needs of the developing countries and the legitimate rights of the equatorial countries.

25. He congratulated the Working Group on agenda item 5 on the progress it had made and said that the working paper contained in document A/AC.105/C.2/L.182 would serve as a sound basis for the achievement of the just aspirations of the developing and equatorial countries.

26. Mr. BOYER (France), noting that the delegation of Nigeria had referred to the challenge to the developed countries to fulfil their obligation to promote international cooperation, said that when the Soviet Union, closely followed by the United States of America, had first sent a man into space some 35 years previously, France had been a developing, if not an underdeveloped, country as far as outer space was concerned. It had since made considerable progress in that area by ensuring that the necessary means were made available for progress in that field and by establishing loyal, fruitful and long-standing cooperation with a number of other countries. Despite such progress, however, France could hardly regard itself as being in a situation comparable to that of the major space Powers. The question of space development must therefore be considered in relative terms.

27. Mr. MENDEZ (Venezuela), referring to the question of the Subcommittee's competence in respect of the militarization of outer space, said his delegation considered that the Subcommittee had a role to play, as its purpose was to work for agreements on the utilization of outer space for peaceful purposes. In that connection, he referred to section II, paragraph 4, of document A/AC.105/C.2/L.182 and said that his delegation was concerned about attempts by some countries to adopt projects involving the militarization of outer space. His country had proposed an amendment to article IV of the 1967 Outer Space Treaty with a view to the inclusion of a reference to additional categories of weapons, such as laser systems.

CONSIDERATION OF THE LEGAL ASPECTS RELATED TO THE APPLICATION OF THE PRINCIPLE THAT THE EXPLORATION AND UTILIZATION OF OUTER SPACE SHOULD BE CARRIED OUT FOR THE BENEFIT AND THE INTERESTS OF ALL STATES, TAKING INTO PARTICULAR ACCOUNT THE NEEDS OF DEVELOPING COUNTRIES (agenda item 5) (A/AC.105/484; A/46/20; A/AC.105/C.2/15 and Add.1-13, A/AC.105/C.2/16 and Add.1-10; A/AC.105/C.2/L.182 and L.187) (continued)

28. Mr. YOUNG (United Kingdom) congratulated the Chairman of the Working Group on agenda item 5 on his paper (A/AC.105/C.2/L.187), paragraphs 10 and 12 of which were extremely interesting. With regard to paragraph 10, his delegation believed that the further development of international cooperation was perhaps the most practical and promising way of giving effect to the principle embodied in article I, paragraph 1, of the Outer Space Treaty. There was a plethora of international agreements providing both for bilateral and for multilateral cooperation in a wide range of space research and applications activity and each such agreement was part of a lattice work whose totality represented a concrete expression of the abstract language of that article.

29. His country was actively encouraging greater access to space technology for peaceful purposes and was contributing to that end through fellowships and seminars in the United Kingdom to the bilateral and multilateral training schemes of the British Council, the World Bank, the European Community and the European Space Agency. Its Overseas Development Administration was conducting Government-funded aid programmes involving the utilization of national space technology and communications and the monitoring of agriculture and the environment in recipient countries. It had, for example, funded and installed a national oceanic and atmospheric administration satellite data receiver in Ethiopia and trained local personnel in its utilization, enabling the national meteorological services agency in that country to study environmental conditions in near real time for early warning of adverse conditions. Such factors had led his delegation to endorse paragraph 12 of document A/AC.105/C.2/L.187. As there was so much cooperation already taking place on a voluntary basis and the prospect of much more in the future, his delegation did not see a need to strengthen the existing regime by making cooperation obligatory.

30. It seemed appropriate under agenda item 5 to mention the proposals by the Prime Minister of his country for an improved level of international cooperation in the fields of remote sensing and monitoring of the environment. Such collaboration would involve the exchange of remote sensing data and improved coordination and planning of Earth observation missions. The aim was a truly global observing system for the environment and its preparation would involve ensuring that there was a unified schedule of Earth-observing satellite missions throughout the present decade. The intention was not to expand projected space programmes, but to improve the value obtained from the considerable sums being invested. It was hoped that ideas for strengthening coordination of launches, instruments, data handling and access for research users would be developed. The initiative would fully support the United Nations Earthwatch programme coordinated by the United Nations Environment Programme. His delegation also considered that now was an appropriate time in International Space Year to work together to help ensure that agreement was reached on coordinating the world's environmental

monitoring capability and skills for the benefit and in the interests of all countries. It hoped that the initiative would be an important contribution to the United Nations Conference on Environment and Development.

31. Mr. KOPAL (Czechoslovakia) said that 1992 was exceptional in that it had been declared International Space Year. In accordance with General Assembly resolution 46/45, the Scientific and Technical Subcommittee had devoted a special meeting to that important international event. A series of international conferences and other activities were also to take place during the Year, including a major World Space Congress, to be organized jointly by the Committee on the Peaceful Uses of Outer Space and the International Astronautical Federation and held in Washington D.C. in August-September 1992.

32. One of the reasons for organizing International Space Year in 1992 was to commemorate two great historical events: the discovery of a new continent five centuries previously and the beginning of the space era 35 years previously. However, 1992 also marked the anniversary of two other, though more modest, events closely related to international space law. Thirty years previously, the two Subcommittees of the United Nations Committee on the Peaceful Uses of Outer Space had been established and had held their first sessions. The multilateral legal basis for space activities - the five United Nations treaties currently in force - had been a major achievement of the Committee and its Legal Subcommittee, the most important being the Treaty on Principles Governing the Activities of States in the Exploitation and Use of Outer Space, including the Moon and Other Celestial Bodies, which had entered into force in 1967.

33. All five space treaties had been concluded during the long cold-war period. The 1967 Outer Space Treaty was, however, not a typical product of that period, but rather, the result of a political warming. Although it was a compromise in many respects, that Treaty had remained one of the outstanding law-making instruments of current international law, enjoying wide endorsement among the international community, as acknowledged in General Assembly resolution 42/68.

34. It should be noted that it was not by chance that the Subcommittee was currently discussing, as agenda item 5, the question of the implementation of the fundamental principle contained in article I of the Outer Space Treaty, with due regard to conditions prevailing in the world at the current time. As he had already emphasized in previous statements to the Subcommittee, the consideration of agenda item 5 should lead to the strengthening and further development of that principle, as well as of the principle of international space cooperation, as defined in article IX of the Outer Space Treaty. In discussions in the Working Group on agenda item 5, specific areas in which international cooperation could be progressively developed had been identified and specific forms of cooperation agreed upon. In that connection, he appreciated the working paper contained in document A/AC.105/C.2/L.182, which reflected the needs of the developing countries and expressed views on how those needs could be satisfied. It also gave delegations of other countries an opportunity to present their own views and suggestions. His delegation was endeavouring to contribute constructively to the discussions and understood the need to take account of the needs of the developing countries. It

nevertheless wished to remain within the scope of the existing principles of international space law as embodied in the Outer Space Treaty and other relevant United Nations instruments.

35. Since the title of agenda item 5 was couched in very broad terms permitting discussion of all aspects of the topic, Czechoslovakia drew the attention of the Subcommittee and its Working Group to the need to protect the space environment against pollution of all kinds and, more particularly, against the generation of space debris. That subject had been touched on in paragraph 8 of the paper by the Chairman of the Working Group on agenda item 5 (A/AC.105/C.2/L.187). The inclusion of space debris under agenda item 5 was in conformity with General Assembly resolutions 45/72 and 46/45, recommending that more attention should be paid to the protection and the preservation of the outer space environment, especially those aspects potentially affecting the Earth's environment. General Assembly resolution 46/45 further considered space debris as an appropriate subject for in-depth discussion by the Committee on the Peaceful Uses of Outer Space.

36. At the twenty-ninth session of the Scientific and Technical Subcommittee, Poland had called in document A/AC.105/C.1/L.181 for a working group to be set up to prepare a report on the preservation and protection of the outer space environment with particular reference to activities likely to affect the Earth's environment; Czechoslovakia had considered the definition of space debris in document A/AC.105/C.1/L.184 and set out a possible format for discussion on the subject in the Committee; and Germany, in a national paper included in document A/AC.105/510/Add.2, had reviewed the work done on the subject in that country. In the ensuing discussion in the Subcommittee, a number of delegations had considered that, since 1992 was International Space Year, space debris should be included as a topic for a general exchange of views and information on the agenda of its next session. Other delegations, while recognizing the importance of the subject, had felt that such consideration would be premature until further national research had been undertaken.

37. The problem of space debris also had its legal aspects, which had been discussed in greater detail in various non-governmental forums, such as the International Law Association's Space Law Committee and the International Institute of Space Law of the International Astronautical Federation, in so far as the definition of space debris and the relation of that term to other legal terms such as "space object and its component parts" was concerned. Other problems considered had included the legal status of space debris, which should be dealt with when measures to prevent its proliferation were considered. Similar problems had already been discussed by the Legal Subcommittee in relation to the draft principles relevant to the use of nuclear power sources in outer space. The Subcommittee should be cognizant of those problems and ready to assist the Committee and its Scientific and Technical Subcommittee when, as was hoped would soon be the case, they embarked on a discussion of the problem.

38. Mr. RAO (India), stressing the practical importance of agenda item 5 for developing countries, said that, in the quarter century since the adoption of the Outer Space Treaty, outer space had yielded enormous benefits in a number of fields, some of which had proved their commercial viability. Those

benefits had, however, not yet reached all States and peoples, as article I of the Treaty stipulated. The gap between legal provisions and their practical implementation and between the recipients and non-recipients of space benefits deserved constructive and cooperative consideration from all States members of the Subcommittee.

39. The topic had been dealt with in the paper by the Chairman of the Working Group on agenda item 5 (A/AC.105/C.2/L.187), which had considered the priority to be given specific subjects, national legal frameworks and international agreements. Very few States at present had national legislation governing outer space, although several were parties to United Nations conventions or agreements on the subject and some were also parties to bilateral or multilateral agreements. The working paper contained in document A/AC.105/C.2/L.182 represented a balanced attempt to deal with the problem and was at present under consideration in the Working Group. It was concerned with how to strengthen and promote the principle of international cooperation in the exploration and utilization of outer space. Further development of that principle would have to take existing realities into account and, as set out in the terms of reference of agenda item 5, pay special attention to the needs and interests of developing countries.

40. The current discussion of the paper in the Working Group was constructive and useful. India, as a developing country participating in outer space activities and a party to international agreements and United Nations conventions on the subject, considered the subject of outstanding historical and practical importance. India's interest in space activities had been to derive benefit for its economy and its people as a whole from such aspects as access to and participation in outer space activities, the transfer of technology and technological expertise without discrimination, the exchange and dissemination of information, training, the development of the requisite scientific and technological infrastructures and access to funding. The legal aspects of that list of issues, which was not an exhaustive one, would need to be considered by the Subcommittee.

41. Favourable treatment was necessary for developing countries within the framework of mutual cooperation among all States. Such treatment could not be considered as a violation of the principle of equality, since such positive discrimination was not uncommon in established legal systems.

42. Lastly, although the consideration of the legal aspects of the above-mentioned issues would be useful, it should not be forgotten that the principal concern of agenda item 5 was to contribute to the promotion of the peaceful uses of outer space with a view to global development and fuller access by all States and peoples to outer space benefits. India would continue to play a constructive part in the debate on the item.

43. Mr. ABBAS (Pakistan) said that, as one of the sponsors of document A/AC.105/C.2/L.182, his delegation was ready to give due consideration to all points of view relating to the legal aspects associated with agenda item 5 in order to translate such ideas into a consensus document. Agenda item 5 had arisen out of article I of the 1967 Outer Space Treaty, which had expressed the common interest of all mankind in the outcome of the use of outer space.

In the present state of development of space technology, it was clear that only the peaceful uses of outer space could be considered as a common interest that would bring economic benefits for all mankind.

44. In response to Secretary-General's request for comments from Governments on certain specific aspects of the work of the Committee on the Peaceful Uses of Outer Space, Pakistan had, in document A/AC.105/C.2/16/Add.1, suggested the following three concepts for discussion: (a) the distinction between space-oriented and Earth-oriented activities of States and between the "use of outer space" and "use of objects" for the exploration of resources; (b) the requirements of an international agreement to implement the principle of the benefit and interests of all countries and the basis for equitable sharing of such benefits by all States; and (c) the promotion of international cooperation, particularly involving the developing States, especially to enable them to participate in international space programmes. It would be a fitting tribute to International Space Year if all member States of the Committee on the Peaceful Uses of Outer Space could reach an agreement in 1992 to work collectively for realization of the ideals set out in article I of the Outer Space Treaty. Enhancing international cooperation in the exploration of peaceful uses of outer space, the common heritage of mankind, would be of benefit to all.

45. Mr. REESE (United States of America) said that agenda item 5 had been adopted by consensus after long and intensive consultations among delegations representing a wide variety of interests. It should be stressed that the new item provided for an exchange of views, but did not, as had been suggested by some, provide a mandate for the negotiation of a new international legal framework. With that in mind, he looked forward to a full exchange of views on what was a very important topic.

46. A detailed timetable and programme of work had been drawn up for agenda item 5 by the Subcommittee at its twenty-eighth session. As a result, member States had submitted information on their national legal frameworks and the international legal agreements to which they were parties. That information and the results of the Subcommittee's review of it would be considered by the Working Group, thus providing a solid foundation for gaining a fuller understanding of the legal and practical aspects affecting the use of outer space for the benefit of all. Since the success of that work depended on a broad response from member States, it was disappointing that only a little more than half had replied.

47. The most immediate task for the Working Group was to consider in a detailed and systematic way the conclusions of document A/AC.105/C.2/L.187 prepared by the Chairman of the Working Group on agenda item 5 at the request of the Subcommittee. That should enable the Subcommittee to draw its own conclusions on the application of article I of the Outer Space Treaty at the national and international levels. He looked forward to participating in those discussions.

48. Mr. van de VELDE (Netherlands) said that he fully endorsed what had been said by the representative of Czechoslovakia concerning the title of agenda item 5. In particular, his delegation shared Czechoslovakia's views with regard to space debris, a universal problem that required the coordinated

involvement of the international community at the global, scientific, technical and legislative levels if the benefits of space activities were to be reaped.

49. Mr. GONZALEZ (Chile), speaking as Chairman of the Working Group on agenda item 5 and referring to the statements made by the representatives of Czechoslovakia and the Netherlands, said that the question of space debris and, in particular, its legal aspects was very important and should be considered fully as soon as possible.

50. Mr. TETU (Canada) said that he shared the representative of Czechoslovakia's views on space debris. His delegation had already expressed its interest in the subject in the Scientific and Technical Subcommittee. In his opinion, the scientific, technical and legal aspects of the subject ought to be considered as soon as possible.

The meeting rose at 12.20 p.m.